

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

HERMUNTH SHIIMI

VS.

NORTH FOREST INDEPENDENT  
SCHOOL DISTRICT

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CIVIL ACTION NO. H-08-2652

**ORDER**

On April 8, 2009, Plaintiff, Hermunth Shiimi, filed his “3<sup>rd</sup> Motion for Appointment of Counsel” and what appears to be his response to the Motion for Summary Judgment of Defendant North Forest Independent School District.

The Court remains of the opinion that at present this case has not developed sufficiently for this Court to appropriately address the factors required by current Fifth Circuit authority in regard to Shiimi’s Motion for Appointment of Counsel, see Gonzales v. Carlin, 907 F.2d 573, 579-80 (5<sup>th</sup> Cir. 1990); therefore, Shiimi’s Motion (Instrument no. 32) is **DENIED** at this time, subject to reconsideration, without re-filing, if further proceedings warrant relief.

Because Shiimi has filed his response to the Motion for Summary Judgment well in advance of the May 8, 2009, deadline, it is **ORDERED** that North Forest Independent School District **SHALL** file its reply, if any, to Shiimi’s response on or before **April 24, 2009**.

**DONE** at Galveston, Texas, this 9th day of April, 2009.

  
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John R. Froeschner  
United States Magistrate Judge